

DETAILED ACTION

On September 4, 2007, an Office Action was sent to the Applicant rejecting claims 1-12. On December 4, 2007, the Applicant responded with arguments.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 6-9 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. There is no hardware claimed in the system claims. The modules in the claims are not supported in the specification. The computer readable medium and computer program product are also directed to non-statutory subject matter, because there is no hardware claimed in the claims.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The specification is rejected, because the modules claimed in claims 6-7 are not found in the specification. Further, the system, computer-readable medium, and computer program product are not indicated as specifically being hardware in the specification.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 6-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. There is no hardware claimed in the system claims. The modules in the claims are not supported in the specification. The computer readable medium and computer program product are also directed to non-statutory subject matter, because there is no hardware claimed in the claims.

Allowable Subject Matter

Claims 1-5 and 10-12 are allowed. Before a notice of allowance is issued, the Examiner will update the search, again.

Claims 6-9 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Response to Arguments

Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M. Hamilton whose telephone number is (571) 272-6743. The examiner can normally be reached on Tuesday-Thursday (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kalinowski Alexander can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3691

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/Lalita M Hamilton/
Primary Examiner, Art Unit 3691